

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ANDREW RAYVONNE WILLIAMS

PETITIONER

v.

CAUSE NO. 1:20CV220-LG-MTP

TIMOTHY MORRIS

RESPONDENT

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND GRANTING MOTION TO DISMISS**

BEFORE THE COURT is the [10] Report and Recommendation entered by United States Magistrate Judge Michael T. Parker on April 26, 2021. Magistrate Judge Parker reviewed the Respondent's [9] Motion to Dismiss and determined that it should be granted. The Petitioner did not file a response to the Respondent's Motion to Dismiss, nor has he filed an objection to the Report and Recommendation.

Where no party has objected to the Magistrate Judge's report and recommendation, the Court need not conduct a de novo review of it. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court need only satisfy itself that there is no clear error on the face of the record. *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). After a review of this matter, the Court finds that Judge Parker's Report and Recommendation is neither clearly erroneous nor contrary to law. The Respondent's Motion to Dismiss is granted, and the Petitioner's petition for a writ of habeas corpus is dismissed without prejudice for failure to exhaust available state remedies.

IT IS THEREFORE ORDERED AND ADJUDGED that the [10] Report and Recommendation of United States Magistrate Judge Michael T. Parker entered in this cause on April 26, 2021, is hereby **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the [9] Motion to Dismiss filed by Respondent is **GRANTED**. The petition for a writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED AND ADJUDGED this the 26th day of May, 2021.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE